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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number	10/634,206
Filing Date	August 5, 2003
First Named Inventor	Russell Powers, et al.
Art Unit	3738
Examiner Name	Brian E. Pellegrino
Attorney Docket Number	MSDI-196/P934.00

### ENCLOSURES (Check all that apply)

- |  |  |   |
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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input checked="" type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>Return Receipt Postcard |
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Brad A. Schepers		
Date	November 22, 2006	Reg. No.	45,431

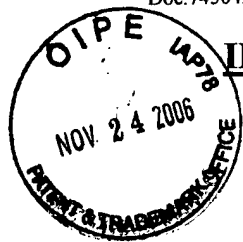
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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	)	Before the Examiner
Powers et al.	)	Brian E. Pellegrino
	)	
Serial No. 10/634,206	)	Group Art Unit 3738
	)	
Filed August 5, 2003	)	Ref. No. MSDI-196/ PC934.00
	)	
SURGICAL KIT AND METHOD FOR	)	November 22, 2006
PROVIDING STERILIZED EQUIPMENT	)	
FOR USE IN SPINAL SURGERY	)	

## RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action dated September 27, 2006, please enter and consider the following amendments and remarks. Please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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November 22, 2006

Date of Deposit

Brad A. Schepers

Name of Registered Representative

Signature

November 22, 2006

Date of Signature

## **INTRODUCTORY COMMENTS**

Claims 3-28, 30, 31, 33-39 and 56-72 were pending in the subject application for the final Office Action. Each of the pending claims currently stands rejected. In view of the following amendments and remarks, reconsideration and allowance of the subject application are hereby requested.